

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

TRAXCELL TECHNOLOGIES, LLC

Plaintiff(s)

v.

FLIGHTAWARE LLC

Defendant(s)

Civil Action No. 4:22-cv-03258

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* FLIGHTAWARE LLC
 c/o Registered Agent
 CT Corporation System
 1999 Bryan Street
 Suite 900
 Dallas, Texas 75201

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

William P. Ramey, III
 RAMEY LLP
 5020 Montrose Blvd.
 Suite 800
 Houston, Texas 77006

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Nathan Ochsner, Clerk of Court

Date: October 4, 2022



s/ Jacqueline Mata
 Signature of Clerk or Deputy Clerk

SERVICE RETURN ATTACHED

ATX Process, LLC
 604 West 9th Street
 Suite B
 Austin, TX 78701

Civil Action No. 4:22-cv-03258

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

 Server's signature

 Printed name and title

 Server's address

Additional information regarding attempted service, etc:

ATX Process, LLC
 604 West 9th Street
 Suite B
 Austin, TX 78701

AFFIDAVIT OF SERVICE

**UNITED STATES DISTRICT COURT
Southern District of Texas**

Case Number: 4:22-CV-03258

Plaintiff:
Traxcell Technologies, LLC
vs.
Defendant:
Flightaware, LLC

For: Ramey & Schwaller, LLP

Received by Michael E. Wigginton on the 4th day of October, 2022 at 1:50 pm to be served on **Flightaware, LLC c/o Registered Agent, CT Corporation System, 1999 Bryan Street, Ste. 900, Dallas, Dallas County, TX 75201. I, Michael E. Wigginton**, being duly sworn, depose and say that on the 5th day of October, 2022 at 2:19p .m., executed service by delivering a true copy of the **Summons in a Civil Action and Complaint for Patent Infringement with Exhibits A and B** in accordance with state statutes in the manner marked below:

☒ **CORPORATE SERVICE:** By delivering to Terri Thongsavant (individual accepting) as authorized agent (title), at 1999 Bryan St Suite 900 (street), Dallas (city), Texas (state) 75201 (zip code) Dallas (county).

() **PUBLIC AGENCY:** By delivering to _____ (individual accepting) as _____ (title) of the within-named agency at _____ (street), _____ (city), _____ (state) _____ (zip code) _____ (county).

() **SUBSTITUTE SERVICE:** By delivering to _____ (individual accepting) as _____ (relationship/title) at _____ (street), _____ (city), _____ (state) _____ (zip code) _____ (county).

() **GOVERNMENT AGENCY:** By delivering to _____ (individual accepting) as _____ (title) of the within-named agency at _____ (street), _____ (city), _____ (state) _____ (zip code) _____ (county).

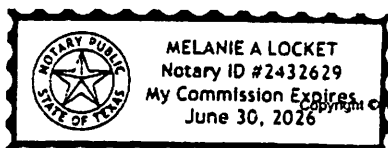
() **NON SERVICE:** For the reason detailed in the comments below.

COMMENTS: _____

I certify that I am over the age of 18, have no interest in the above action, and have the proper authority in the jurisdiction in which this process was delivered. The facts in this affidavit are within my personal knowledge and true and correct.

Subscribed and sworn to before me on the 1st day of October, 2022 by the affiant who is personally known to me.

Melanie A. Lockett
NOTARY PUBLIC



Michael E. Wigginton
PROCESS SERVER # PS# 3678
Appointed in accordance with State Statutes

ATX Process, LLC
604 West 9th Street
Suite B
Austin, TX 78701
(512) 717-5600

Our Job Serial Number: 2022011114
Ref: Traxcell Technologies v. Flightaware